IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 25TH JUNE 2007 / 4TH ASHADHA 1929

Bail Appl..No. 3799 of 2007()

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AGAINST THE JUDGEMENT/ORDER IN BA.2998/2007 Dated 23/05/2007
CRMP.2192/2007 of J.M.F.C.-I,PATHANAMTHITTA
CRIME NO.25/07 OF PATHANAMTHITTA EXCISE RANGE.

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PETITIONERS:

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1. DEVADAS, AGED 43,
S/O. PADMANABHAN, VADAKKEVILAYIL VEETTIL,
IDAKKUNNAMMURI, NOORANADU VILLAGE,MAVELIKKARA.(A1)

2. SASI, AGED 43,
S/O. KUNJUKUNJU, KODATH VEEDU, VETTIKKODE MURI,
KATTANAM VILLAGE, MAVELIKKARA. (A2)

BY ADV. SRI.A.MOHAMMED

RESPONDENTS: COMPLAINANT:

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STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. JAI GEORGE.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 25/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

**R. BASANT, J.**

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B.A.No. 3799 of 2007

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Dated this the 25th day of June, 2007

**O R D E R**

Application for regular bail. The petitioners were allegedly found to be in possession of 10 litres of spirit and 5.8 litres of toddy mixed with it on 25.4.2007. They continue in custody from that date.

2. The learned counsel for the petitioners prays, the learned Prosecutor does not oppose the said prayer and I am satisfied that a period of 60 days having elapsed from the date of first remand and the final report having not filed so far, the petitioners are entitled for bail for default under Section 167 Cr.P.C. No further discussions on merit appear to be necessary.

3. In the result:

1) This application is allowed.

2) The petitioners shall be released on bail on the following terms and conditions.

(a) They shall execute bonds for Rs.75,000/- (Rupees seventy five thousand only) each with two solvent sureties each for the like sum to be satisfaction of the learned Magistrate.

(b) They shall make themselves available for interrogation before the Investigating Officer between 10 a.m. and 12 noon on all Mondays and Fridays until the final report is filed.

**(R. BASANT)**
Judge

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